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PRO SE - FORCED TO PROCEED BY COURT ORDER WITHOUT CONFLICT-FREE  
COUNSEL, Appellant

**IN THE SUPREME COURT FOR THE STATE OF ALASKA**

Richard L. Green (Father)	)	
	)	Supreme Court
Appellant ,	)	
vs.	)	Case No. S-18075
	)	
State of Alaska, DHSS, OCS	)	
Ms. Dinh (mother), illegal alien	)	
OPA, GAL, Mr. Green's 4 children	)	
	)	
Appellee(s),	)	
	)	

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Trial Case No. 3PA-20-151-154CN; Case No. 3PA-20-00568-571CI

**MOTION FOR RECONSIDERATION**

**(EXPEDITED FOR CHILD CUSTODY UNDER RULE 2018)**

On May 28, 2021 this court issued a 'discretionary'  
order refusing to take up some very important matters that are  
purely based on statutory violations, constitutional violations  
and illegal actions by OCS and illegal orders by the Trial  
Court.

**PRO SE**

Appellant proceeds pro se in these complex constitutional  
and international issues by force of the trial court and this  
court until conflict free counsel is appointed in this case.

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denial of the petition for review

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This is a stage of the CINA proceedings in the case and Mr. Green does not have conflict free counsel to assist and represent him in these proceedings.

Mr. Green has been forced by the trial court to appear without conflict free counsel for 19 hearings since the IAC claims were first brought to the attention of the trial court. <sup>1</sup>

The substance and main issues in the this review are simple as outlined below:

1. Does OCS have the right/freedom to violate the Alaska law (reasonable efforts) when committing nothing more than legal kidnapping (CINA cases) of children? <sup>2</sup>
2. Does the trial court have a right to suppress a defense expert witness who will testify that OCS has altered the photographs that they use to commit "legal kidnapping" of children?
3. Is there a true right to counsel at EVERY stage of the OCS kidnapping (CINA) proceedings? <sup>3</sup>

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<sup>1</sup> Exhibit IAC 26

<sup>2</sup> CINA Rule 10.1 see also AS 47.10.086(a)

<sup>3</sup> CINA Rule 12 - court appointed counsel was not present at the second CINA hearing on September 2, 2020 when OCS sought illegal removal in violation of the law and U.S Constitution.

4. Does the Alaska Superior Court have jurisdiction to issue orders when court appointed counsel is not even at a hearing and no one advocates for the falsely accused? <sup>4</sup>
5. When the Public Defender's Office works hand in hand with OCS to unconstitutionally steal/kidnap children, is there a true adversarial process?
6. Does Ineffective Assistance of Counsel have any meaning in Alaska?
7. Does the 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup>, and 14<sup>th</sup> Amendments to the United States Constitution have any standing in the State of Alaska?

This court has for over a decade allowed OCS to violate the law, steal and kidnap children all for simple monetary gain. OCS steals the children's money and resources to make OCS richer and richer.<sup>5</sup> Alaska Representative Tammy Wilson calls out OCS for nothing more than legal kidnapping.<sup>6</sup>

If this court does not take on this review then the Alaska Supreme Court under Chief Justice Bolger is simply saying;

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<sup>4</sup> CINA Rule 3 and 7

<sup>5</sup> The ADN recently reported that OCS is using a for profit company is collecting in excess of \$100,000 million in children's money that the child never sees. OCS gets rich while children suffer.

<sup>6</sup> Lawmaker says Alaska child welfare agency practices 'legal kidnapping,' Anchorage Daily News September 9, 2016.

1. OCS is above the law,
2. OCS is permitted to alter evidence to steal/kidnap children from their parents,
3. Rebuttal expert testimony that show OCS alters evidence is of no effect,<sup>7 8</sup>
4. The law has no real effect in Alaska when a trial court Judge refuses to follow the law,<sup>9</sup>
5. There is no right to counsel at CINA proceedings and the court is free to issue orders without counsel present, without testimony and without any adversarial process.
6. A litigant has no right to discovery before trial,<sup>10</sup>
7. Conflict free counsel does not apply in CINA cases,
8. No parent has a right to counsel at any CINA hearing,
9. No parent has a right to a rebuttal expert witness,
10. No parent has a right to fully testify in their defense at trial.

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<sup>7</sup> It is well established in case law that a defendant has a right to a rebuttal expert witness for his defense at trial. But Judge Kristensen would allow an expert to testify that OCS altered the photographs they used at trial.

<sup>8</sup> Exhibit AK (10)

<sup>9</sup> Alaska Canon #2

<sup>10</sup> CINA Rule 8 and Rule 13

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11. Trial Court Judges in Alaska do not have to follow the law,
12. Parents have no rights in Alaska,
13. Children have no rights in Alaska,
14. Families do not have rights in Alaska,
15. The United States Constitution does not apply in Alaska,
16. The Alaska Legislature has no real power to enact laws, because this court will simply refuse to enforce them.

## **CONCLUSION**

The CINA proceedings are broken into two parts. Part 1 allows the SOA via OCS to subvert the U.S. Constitution and violate parents' rights to autonomy. Probable cause is final order in this case since it violates parents' rights to constitutional protections and unwarranted interference from the SOA for an indefinite period of time. A probable cause order gives the SOA freedom to drag a case out for months and years causing irreparable harm to families, parents and children effecting the child's development for the rest of their life. Part 2 is the adjudication trial where the SOA

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simply has a higher burden of proof to gain an extended order for additional temporary 'legal custody'.

OCS has admitted that they are seeking adjudication/termination as a means to change custody to the parent they want to help gain an illegal green card. This case has nothing to do with child protection.

Denying this petition for review is for this court to declare that the U.S. Constitution and the Alaska Statutes enacted by the Alaska Legislature have no effect in Alaska under the Chief Justice Bolger Court.

Appellant reminds/notifies this court that the children are Indonesian and the Indonesian Tribunal has continuing and exclusive jurisdiction over the parents, the children and custody and child protection matters. Ms. Dinh (mother) is an illegal immigrant who is facing deportation for marriage and immigration fraud. Ms. Dinh has been found to have kidnapped the children, perpetrated 9 separate acts of domestic violence assaults against the children<sup>11</sup> causing substantial injuries and has taken life by the intentional overconsumption of alcohol

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<sup>11</sup> Exhibit X-35(1)

and then threatened again to take the Appellant's babies life unless a green card was provided to her by Mr. Green.<sup>12</sup>

A "petition for review" at the Alaska Supreme Court level is completely 'discretionary' and this court can allow the trial court to ignore and violate the U.S. Constitution and the Alaska Statutes and international law. That leaves the victim of these heinous crimes no recourse but to redress their grievances of violations of International law, U.N Treaties and U.S Constitutional violations at the Federal Court and/or the International Court level since this is a denial of basis human rights under both International Law and U.N. Treaties.

Attempting to ignore or burry these substantial statutory and constitutional violations will not make them go away. The Appellant is committed to exposing the State of Alaska's illegal activity on whatever level of court action is required until his grievances are fully addressed in this matter.

Mr. Green simply asks this court to reconsider its 'discretionary' decision in this matter. It would be far better to address these violations at the this court level on an expedited basis that filing a new action in a higher court. This Court's ruling on this reconsideration will determine the

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<sup>12</sup> Exhibit AK (16)

